

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

FILED
DATE: May 13, 2010
4:55 O'Clock P.M.
JEANNE HICKS, CLERK
BY: Rachel Roeh
Deputy

DIVISION: 6
HON. THOMAS B. LINDBERG
CASE NO. P1300CR20081339

JEANNE HICKS, CLERK
By: Rachel Roeh, Deputy Clerk
DATE: May 13, 2010

TITLE:
STATE OF ARIZONA
(Plaintiff)

vs.

COUNSEL:
Yavapai County Attorney (e)
(For Plaintiff)

STEVEN CARROLL DEMOCKER
(D-1)

John Sears (e)

Larry Hammond & Anne Chapman (e)
OSBORN MALEDON, P.A.
(For Defendant)

HEARING ON:
Jury Trial / Jury Selection – Day 6

NATURE OF PROCEEDINGS

COURT REPORTER
Roxanne Tarn

START TIME: 8:34 a.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Jeff Paupore, Deputy County Attorney
Steven DeMocker, Defendant
John Sears, Counsel for Defendant
Larry Hammond, Counsel for Defendant
Anne Chapman, Counsel for Defendant

Court convenes with the presence of the Defendant and Counsel.

Discussion takes place with regard to potential jurors.

At 8:47 a.m., the following seven jurors are called to the jury box.

[REDACTED]

The Court addresses the jurors and reads a statement of the case.

At 9:00 a.m., the seven jurors called to the box are sworn.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that she remains subject to recall. The juror exits the Courtroom.

Defense Counsel requests that the Court strike this juror for cause. The Court **GRANTS** the motion to strike the juror for cause.

~*~*~*~*~*~ Recess – 10:17 a.m. ~*~*~*~*~*~

At 10:27 a.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that he remains subject to recall. The juror exits the Courtroom.

Counsel for the State requests that the Court strike this juror for cause. The Court **DENIES** the motion to strike the juror for cause.

Discussion takes place with regard to potential jurors.

[REDACTED] is examined on *voir dire*. The juror is admonished and is excused for hardship.

[REDACTED] is examined on *voir dire*. The juror is admonished and is excused for hardship.

[REDACTED] and [REDACTED] are called into the courtroom and briefly examined on *voir dire*. The jurors are advised that they will receive notification from the Jury Commissioner's Office regarding when they should report again for Jury selection. The jurors are admonished and exit the courtroom.

[REDACTED] is examined on *voir dire*. The juror is admonished and advised that he remains subject to recall. The juror exits the Courtroom.

Defense Counsel requests that the Court strike this juror for cause. The Court **GRANTS** the motion to strike the juror for cause.

~*~*~*~*~ Recess - 12:14 p.m. ~*~*~*~*~

At 1:30 p.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

Discussion takes place with regard to potential jurors.

Upon agreement of Counsel, [REDACTED] is excused for cause.

Upon agreement of Counsel, [REDACTED] is excused for hardship.

At 1:45 p.m., the following six jurors are called to the jury box.

[REDACTED] [REDACTED] [REDACTED]

The Court addresses the jurors and reads a statement of the case.

At 1:45 p.m., the six jurors called to the box are sworn.

[REDACTED] is examined on *voir dire*. The juror is admonished and is excused for hardship.

~*~*~*~*~ Recess - 2:33 p.m. ~*~*~*~*~

At 2:35 p.m., Court reconvenes in chambers with the presence of Counsel only. The Defendant is not present.

The Court notes that the victim, Ruth Kennedy requested to be present for this in-chambers conference.

Defense Counsel informs the Court regarding a situation with Victim Services. Defense Counsel requests that the Court order the County Attorney's office to tell Victim Services to not order the victims around.

Counsel present argument.

The Court **DENIES** the request and declines to enter any orders. The Court leaves it to the County Attorney's office to investigate the situation.

~*~*~*~*~ Recess - 2:45 p.m. ~*~*~*~*~

At 2:52 p.m., Court reconvenes with the presence of all parties previously present, including the victim, Ruth Kennedy. The jurors are not present.

Discussion takes place with regard to Victim Services.

██████████ is examined on *voir dire*. The juror is admonished and upon request of the State, the juror is excused for cause.

██████████ is examined on *voir dire*. The juror is admonished and advised that he remains subject to recall. The juror exits the Courtroom.

~*~*~*~*~*~ Recess – 3:40 p.m. ~*~*~*~*~*~

At 3:45 p.m., Court reconvenes with the presence of all parties previously present. The jurors are not present.

██████████ is examined on *voir dire*. The juror is admonished and advised that he remains subject to recall. The juror exits the Courtroom.

Defense Counsel requests that the Court strike this juror for cause. The Court **DENIES** the motion to strike the juror for cause.

Discussion takes place with regard to potential jurors.

██████████ is examined on *voir dire*. The juror is admonished and upon request of the State, the juror is excused for cause.

END TIME: 4:55 p.m.

cc: VS (e)
Jury Commissioner (re: excused jurors)
Dean Trebesch (Contract Administrator) (PD) (e)
Division 6
YCSO (e)
John Napper, Counsel for Renee Girard (e)
Christopher DuPont, Trautman DuPont PLC, 1726 North Seventh Street, Phoenix, AZ 85006,
Counsel for Victims Charlotte and Katherine DeMocker